

MAY 02 2006

REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/698,294
Filing Date	October 31, 2003
First Named Inventor	James M. Zavislak
Art Unit	3737
Examiner Name	Ruth S. Smith
Attorney Docket Number	ML-0434DIV

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. Other _____

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)

ii. Affidavit(s)/Declaration(s) iv. Other _____

2. **Miscellaneous**

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 50-1101. I have enclosed a duplicate copy of this sheet.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other \$285 for 3rd month ext. / \$225.00 already paid for 2 month ext. 05/04/2006 NNGUYEN1 00000033 10698294

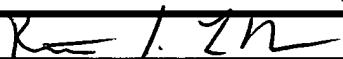
b. Check in the amount of \$ 680.00 enclosed 01 FC:2801

c. Payment by credit card (Form PTO-2038 enclosed) 02 FC:2253 395.00 0P
285.00 0P

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature



Date

May 2, 2006

Name (Print / Type)

Kenneth J. LuKacher

Registration No.

38,539

CERTIFICATE OF MAILING OR TRANSMISSION

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Date

May 2, 2006

Name (Print / Type)

Tammy S. Moynihan

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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05-03-06

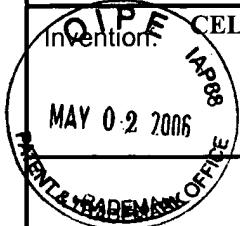
R.CJ
DPW

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): James M. Zavislak et al.

Docket No.

ML-0434DIV

Application No.
10/698,294Filing Date
10/31/2003Examiner
Ruth S. SmithCustomer No.
024,902Group Art Unit
3737Invention: **CELLULAR SURGERY UTILIZING CONFOCAL MICROSCOPY**

MAY 02 2006

I hereby certify that the following correspondence:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL WITH CHECK FOR \$680.00*(Identify type of correspondence)*

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